

REMARKS

Claims 1-12 and 14-17 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 1-12, drawn to a printing service method and system as well as a computer medium for use therein allegedly classified in class 358, subclass 1.9; and

Group II, claims 14-17, drawn to a printing service method and system as well as a computer medium for use therein including a plurality of collaborating systems wherein one of them is chosen and asked about the authentication information, classified in class 358, subclass 1.15.

For the purpose of examination of the present application, Applicants elect, with traverse, Group II, Claims 14-17.

The Examiner wrongly asserts that claims 1-12 are limited to a single collaborating system. Nothing in these claims recites this limitation that is wrongfully found present in these claims by the Examiner. In fact, claims 1-12 are generic to a printing service using single or plural collaborating systems. In the absence of specific limitations reciting a single collaborating system, it is clear that claims 1-12 are generic and must be examined with the invention of claims 14-17.

Furthermore, the Examiner has the burden of showing restrictability by establishing the presence of independence or distinctness. No such reason has been advanced by the Examiner. The advancement of an alleged reason to support the existence of burden is not sufficient. See MPEP § 803 and in particular MPEP § 808.01.

If the alleged basis for restrictability is that of different species, the basis is clearly flawed since there is nothing in the claims 1-12 to require only a single collaborating system as alleged by the examiner.

For all of the above reasons reconsideration and withdraw of the outstanding restriction requirement is requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Carolyn T. Baumgardner, Registration No 41,345 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

☒ Attached is a Petition for Extension of Time.

☒ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No.

Application No.: 09/773,629

Docket No.: 2091-0233P

02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17;
particularly, extension of time fees.

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Respectfully submitted,

By 

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